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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO
individually and on behalf of all other similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**SUPPLEMENTAL DECLARATION OF
JOHN A. YANCHUNIS ISO PLAINTIFFS'
MOTION FOR AN AWARD OF
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS**

Judge: Hon. Yvonne Gonzalez Rogers
Date: August 7, 2024
Time: 9:00 a.m.
Location: Courtroom 1 – 4th Floor

DECLARATION OF JOHN A. YANCHUNIS

I, John A. Yanchunis, declare as follows.

1. I am a partner with the law firm of Morgan & Morgan, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the States of Texas and Florida and admitted *pro hac vice* for this case. Dkt. 20. I have personal knowledge of the matters set forth herein and am competent to testify.

2. On April 23, 2024, Boies Schiller Flexner LLP (“BSF”), Morgan & Morgan, and Susman Godfrey (collectively, “Plaintiffs’ Counsel”) filed Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards (Dkt. 1106, the “Motion”) and submitted to the Court records of Plaintiffs’ attorneys’ fees and costs incurred in pursuing this litigation.

3. I was personally responsible for reviewing the fees and costs sought to be recovered with the Motion, and I was personally (along with other Plaintiffs' Counsel) involved with the review of all work performed by the experts retained by Plaintiffs' Counsel and their invoices prior to payment. We reviewed all of those invoices prior to payment to ensure that those payments were appropriate for the work performed by those experts.

4. On June 7, 2024, Google filed its Opposition to Plaintiffs' Motion for an Award of Attorneys' Fees, Costs, and Service Awards (Dkt. 1111, "Opposition"), where Google in part objected to certain costs incurred by Plaintiffs' Counsel.

5. In the opposition Google asserts that the TSA Precheck Charge should not have been submitted. Opposition at 24. That was clearly an erroneous submission and had Google contacted us about that cost, I would have withdrawn it without hesitation.

6. Google also raised objections to specific attorneys' fees. On May 21, 2024, Google's Counsel identified Morgan & Morgan time entries flagged as duplicates. Pursuant to the parties' agreement, Plaintiffs' Counsel reviewed those time entries. Plaintiffs' Counsel subsequently met and conferred with Google, and reached agreement on which time entries were duplicates, and we have removed all of those duplicate entries.

7. After filing its Opposition, Google for the first time objected to one of my time entries being 23 hours. Opposition at 2. This was obviously a scrivener's error but Google did not contact me about that entry prior to its Opposition. I have revised that time entry to reflect the hours spent (a reduction from 23 to 13 hours) and corrected that in **red font** for the Court's review (at line 5,907 in the spreadsheet).

8. Also in the Opposition, Google inquired whether Morgan & Morgan’s attorneys who participated in document review (and other activities supporting depositions, hearings, and other litigation efforts) might be contract attorneys. Opposition at 11. They are not—every Morgan & Morgan timekeeper for which lodestar is requested is currently or was at the time an employee of my law firm (some timekeepers have since left Morgan & Morgan).

9. Contemporaneously with this filing, Plaintiffs' Counsel is submitting to this Court an updated set of Morgan & Morgan time records for *in camera review*, where my now-revised 13-hour time entry is in **red font** (at line 5,907). Also, the agreed duplicates have been highlighted for the Court's review. With these changes, Plaintiffs' Counsel are now seeking fees based on a slightly reduced lodestar, with a total Morgan & Morgan lodestar of \$29,279,471.60 (as compared to the prior Morgan & Morgan lodestar submitted with the Motion, which was \$29,410,854.80).

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 21, 2024, at Tampa, Florida.

/s/ John A. Yanchunis
John A. Yanchunis